



# House of Representatives

General Assembly

**File No. 338**

January Session, 2007

Substitute House Bill No. 7208

*House of Representatives, April 4, 2007*

The Committee on General Law reported through REP. STONE of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING PAWNBROKERS AND COMPUTERIZED RECORD-KEEPING SYSTEMS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21-41 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) No pawnbroker or person who loans money on the deposit or  
4 pledge of wearing apparel, jewelry, ornaments, household goods or  
5 other personal property or purchases such property on condition of  
6 selling the same back again at a stipulated price or purchases such  
7 property from a person who is not a wholesaler shall take, receive or  
8 purchase such property without receiving proof of the identity of the  
9 person depositing, pledging or selling the property. Such identification  
10 shall include a photograph, an address, if available on the  
11 identification, and an identifying number, including, but not limited  
12 to, a date of birth. Any person who wilfully violates any provision of  
13 this subsection shall, for a first violation, have committed an infraction  
14 and, for a second or subsequent violation committed within two years

15 of a prior violation, be guilty of a class A misdemeanor.

16 (b) Each such pawnbroker or person carrying on such business of  
17 loaning money on the deposit or pledge of personal property or of  
18 purchasing such property on condition of selling the same back again  
19 at a stipulated price or of purchasing such property from a person who  
20 is not a wholesaler shall maintain a computerized record-keeping  
21 system deemed appropriate by the chief of police in cities and by the  
22 selectmen in towns, in which shall be entered in English, at the time he  
23 receives any article of personal property by way of pledge, pawn or  
24 purchase, a description of such article, the name, residence, proof of  
25 identity as required in subsection (a) of this section and a general  
26 description of the person from whom, and the day and hour when,  
27 such property was received. [Such] Access to such computerized  
28 record-keeping system and the place where such business is carried on  
29 and all articles of property therein shall be provided to and may be  
30 examined at all times by any state police officer, by any municipal  
31 police officer, by the selectmen of the town or any person by them  
32 designated or, if such business is carried on in a city, by the chief of  
33 police of such city or any person by him designated. Any state police  
34 officer or municipal police officer of the town or city where the  
35 business is carried on who performs such an examination may require  
36 any employee on the premises to provide proof of his identity.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2007	21-41
-----------	-----------------	-------

**GL**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

---

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

This bill requires that pawnbrokers maintain electronic record-keeping systems for their articles of property and customers, and requires them to obtain proof of identity when lending money. There is no fiscal impact.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sHB 7208*****AN ACT CONCERNING PAWNBROKERS AND COMPUTERIZED RECORD-KEEPING SYSTEMS.*****SUMMARY:**

The law requires pawnbrokers to keep records of their articles of property and customers in a way that is deemed appropriate by the chief of police in cities and by the selectmen in towns. This bill requires that the record-keeping system be computerized. It requires pawnbrokers to give municipal and state police access to the computerized system at all times as current law requires them to allow municipal and state police to examine the record-keeping system. A pawnbroker is someone in the business of loaning money on deposits or pledges of clothing, jewelry, household goods, or other personal property.

The law requires pawnbrokers to obtain proof of identity when lending money. The bill requires the identification to include the person's date of birth. The law already requires the identification to include a photograph, address if available on the identification, and an identifying number. By law a pawnbroker who violates the requirement to obtain and record customer identification commits an infraction for a first offense and a class A misdemeanor for subsequent offenses committed within two years of a prior violation (see BACKGROUND).

EFFECTIVE DATE: October 1, 2007

**BACKGROUND*****Required Records***

The law requires pawnbrokers, when receiving any article, to record in English a description of the property; the name, residence, proof of

identity and general description of the individual leaving the property; and the day and time when the property was received. The law requires pawnbrokers to be licensed by the municipality where their shop is located.

***Penalties***

Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90, plus an additional fee based on the amount of the fine and a \$20 surcharge. An infraction is not a crime; thus, violators do not have criminal records and can pay the fine by mail without making a court appearance. Class A misdemeanors are punishable by up to one year imprisonment, a fine of up to \$2,000, or both.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea    19        Nay   0        (03/14/2007)